

ORDINANCE NO. 464 N.S.

AN ORDINANCE AMENDING SECTION 5.08.011 [ORDINANCE NO. 353 N.S., SECTION A] SECTION 5.08.040 [ORDINANCE NO. 226 N.S., SECTION 2 (PART)] REPEALING SECTION 5.08.050 AND SECTION 5.08.060 [ORDINANCE NO. 226 N.S., SECTION 2 (PART)] AND ADDING NEW SECTION 5.08.065

The City Council of the City of El Paso de Robles does ordain as follows:

SECTION 1. That Section 5.08.011 Definitions shall be amended to read as follows:

5.08.011 DEFINITIONS

A. For the purpose of this Chapter, a "billiard parlor" or "pool room" includes a fixed place of business of any kind where billiards, pool, snooker or eight-ball or other similar games are maintained on the premises, whether or not coin operated.

B. Card Table. The term "card table" as used in this Chapter shall mean a card table within a business premises where there is carried on any card game for hire or for compensation which game is not unlawful under the provisions of California Penal Code Section 330, or any other provision of law.

SECTION 2. That Section 5.08.040 shall be amended by adding the following standards:

Standards for Issuance of Card Table Licenses

A. No more than a total of five (5) card tables shall be licensed to operate within the City under the provisions of this Chapter.

B. No one permittee shall be authorized to operate more than a total of two (2) card tables within the City.

C. No more than two (2) card tables shall be operated or maintained within any single business premises within the City.

D. No card table license shall be issued unless that card table is at all times to be operated within the same premises as a business which is licensed and operating under an on-sale general license for the sale of beer, wine and distilled spirits under Business and Professions Code Section 23399.

E. No card table license shall be transferrable to another location or permittee and the location is in compliance with all applicable zoning and building ordinances and regulations of the City.

F. No card table license shall be issued to any person who has been convicted of any felony, nor to any association, partnership, or corporation of which any owner thereof has been convicted of a felony.

SECTION 3. That Section 5.08.050 is hereby repealed and the new Section 5.08.050 is adopted as follows:

5.08.050 Revocation of Licenses. The City Council shall have the right to revoke any card table license when the possessor thereof has violated, or permitted the violation of, any of the terms of this Chapter. The City Council may also revoke any card table license when the business being operated is not being conducted in accordance with the public health, safety or welfare or when, in the discretion of the City Council, it is found that the continued operation of said business will create or is creating a policy problem to the City. Prior to revoking any card table license, the City Council shall cause to be served on the applicant a notice of its intention to do so at least five (5) days prior to the date upon which it intends to consider the matter of such revocation, and also stating the right of the licensee to appear before the City Council and to show cause why such license should not be revoked. The decision of the City Council with respect to such revocation shall be final.

SECTION 4. That Section 5.08.060 is hereby repealed and new Section 5.08.060 is adopted as follows:

5.08.060 Access to Premises. The City Council finds that it is necessary and in the public interest that law enforcement officers have access to any premises in which a card table is being operated under the terms of this Chapter, in order to insure that the terms of this Chapter are being complied with. Any premises for which a license has been issued under the provisions of this Chapter shall be deemed to constitute a public place, and all police officers and peace officers shall at all times have access thereto during business hours.

SECTION 5. That new Section 5.08.065 be adopted as follows:

5.08.065 Attendance by Minors. No person under the age of twenty-one (21) shall be employed in or allowed to frequent, remain in or visit any room or premises wherein is conducted or operated any card table licensed under the provisions of this Chapter.

PASSED AND ADOPTED THIS first day of December, 1981 by the following roll call vote:


AYES: Councilmen Minshull, Monroe, Parish, Stemper and Schwartz

NOES: None

ABSENT: None

  
MAYOR BARNEY SCHWARTZ

ATTEST:

  
CITY CLERK DONALD B. KEEFER

STATE OF CALIFORNIA )  
COUNTY OF SAN LUIS OBISPO )  
CITY OF EL PASO DE ROBLES )

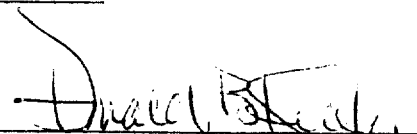
I, DONALD B. KEEFER, City Clerk of the City of El Paso de Robles, California, do hereby certify that the foregoing Ordinance No. 464 N.S. was duly and regularly adopted, passed and approved by the City Council of the City of El Paso de Robles, California, at a regular meeting of said City Council held at the regular meeting place thereof, on the first day of December, 1981, by the following vote:

AYES: Councilmen Minshull, Monroe, Parish, Stemper and Schwartz

NOES: None

ABSENT: None

Dated this first day of December, 1981.

  
City Clerk and Ex-Officio Clerk of the City  
Council, City of El Paso de Robles, State  
of California